

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**November 22, 2006**

**DIVISION ONE**

B187951      Estrada, et al.                      (Not for Publication)  
                 v.  
                 FedEx Ground Package System, Inc.

The equitable orders are reversed, and the cause is remanded to the trial court with directions to vacate its order granting Estrada's motion for declaratory and injunctive relief and to enter a new order denying that motion. Our supersedeas stay is dissolved as moot. FedEx is entitled to its costs of appeal.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                 Jackson, J. (Assigned)

B185427      People                                      (Certified for Publication)  
                 v.  
                 Ranger Insurance Company

The judgment forfeiting the bond and the order denying Ranger's motion to vacate the judgment are reversed, and the cause is remanded to the trial court with directions to exonerate the bond. Ranger is entitled to its costs of appeal.

Vogel (Miriam A.), Acting P.J.

We concur:   Rothschild, J.  
                 Jackson, J. (Assigned)

## DIVISION ONE (Continued)

B192440      Ready Pac Produce, Inc.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Sandoval et al., r.p.i.)

The petition is granted, and a peremptory writ shall issue commanding the trial court (1) to vacate its order denying Ready Pac's motion for summary judgment, (2) to enter a new order granting the motion, and (3) to enter judgment in favor of Ready Pac. Ready Pac is entitled to its costs of these writ proceedings.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                      Rothschild, J.

B194261      Kavanaugh      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Sitrick, r.p.i.)

THEREFORE, let a peremptory writ issue, commanding respondent superior court forthwith to vacate its September 18, 2006 Order Restraining Judgment Debtor in Los Angeles Superior Court case No. BC267621, entitled Michael Sitrick, as Trustee, etc. v. Ryan Kavanaugh. As the September 18, 2006 Order Restraining Judgment Debtor is ordered to be vacated forthwith, the temporary stay order is hereby terminated. Real Party Michael Sitrick, as Trustee of the Michael and Nancy Sitrick Trust, shall bear all costs of this proceeding.

Spencer, P.J. :      Mallano, J.      Rothschild, J.

DIVISION ONE (Continued)

B190440 Weissburg (Not for Publication)

v.

Los Angeles Civil Service Commission et al.

The judgment is affirmed. The Department is entitled to its costs of appeal.

Vogel (Miriam A.), J.

We concur: Mallano, Acting P.J.  
Rothschild, J.

DIVISION THREE

B182964 Riverpark Holdings, (Not for Publication)

v.

Western Pacific Housing, Inc., et al.

The trial court judgment is affirmed. River is awarded costs on appeal.

Kitching, J.

We concur: Croskey, Acting P.J.  
Aldrich, J.

B182924 People (Not for Publication)

v.

Leroy J. Greenwood

The convictions on counts 14-20 are reversed and the matter is remanded for a new trial on those counts only. In all other respects, the judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

DIVISION THREE (Continued)

B186714      Matera, et al.                      (Certified for Publication)  
                 v.  
                 McLeod, et al.

The judgment and the order denying the motion for relief from the defaults and default judgment are reversed with directions to the superior court to vacate the defaults and the order striking defendants' answer, reinstate defendants' answer, award "reasonable compensatory legal fees and costs" as required by section 473, subdivision (b) and conduct such additional proceedings as may be appropriate and not inconsistent with the views expressed herein. Defendants are to recover their costs on appeal.

Croskey, J.

We concur:   Klein, P.J.  
                 Aldrich, J.

DIVISION FIVE

B186220      Time Warner Cable, Inc.      (Not for Publication)  
                 v.  
                 City of Torrance

The judgment is affirmed. Respondent(s) to recover costs.

Kriegler, J.

We concur:   Armstrong, Acting P.J.  
                 Mosk, J. (with opinion)

B188962      Los Angeles County, D.C.S.  
                 v.  
                 John M.

Filed order modifying opinion. (No change in the judgment)

## DIVISION FIVE (Continued)

B185153      People                                  (Not for Publication)  
v.  
Frank Vasquez

The judgment is modified to stay the term imposed for the robbery in count 3 pursuant to section 654, and to reflect imposition of the mandatory five-year enhancement under section 667, subdivision (a)(1) for each of counts 2, 3, and 4. The matter is remanded to the trial court for the purpose of having the trial court consider whether defendant's circumstances warrant the striking of any or none of the enhancements under section 667.5, subdivision (b). If the trial court exercises its discretion to impose the section 667.5 subdivision (b) enhancements, it is directed to impose those enhancements separately, additionally and consecutively on each of counts 2, 3 and 4. In all other respects, the judgment is affirmed.

Mosk, J.

We concur:   Turner, P.J.  
                          Kriegler, J.

B190020      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Malik F., Pamela P.

The judgment is affirmed.

Turner, P.J.

We concur: Mosk, J.  
Kriegler, J.

November 22, 2006 (Continued)

## DIVISION FIVE (Continued)

B191358      Los Angeles County, D.C.S.  
v.  
Mark R.  
In re Kanisha W.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

## DIVISION SEVEN

B187365 Kayle (Not for Publication)  
v.  
Remery

The judgment of the superior court is affirmed in part and reversed in part. Plaintiff's claims for elder abuse and kidnapping against Remery based on conspiracy theory are reinstated. The parties are to bear their own costs on appeal.

Zelon, J.

We concur: Perluss, P.J.  
Johnson, J.

B193386 People (Certified for Publication)  
v.  
Superior Court, Los Angeles County  
(Humberto S., r.p.i.)

The petition is denied, and the stay of proceedings is lifted.

Zelon, J.

We concur: Johnson, Acting P.J.  
Woods, J.